

**NEW HANOVER COUNTY  
BOARD OF ADJUSTMENT**

**Number of Members:** 5 plus 3 alternates  
Ex-Officio: Planning and Land Use Director

**Term of Office:** 3 years

**Regular Meetings:** Fourth Tuesday of every month at 5:30 p.m. in the Lucie F. Harrell Conference Room at the Government Center, 230 Government Center Drive, Wilmington, NC.

**Compensation:** \$20.00 per member per meeting plus auto mileage

**Statute or cause creating Board:** N.C. General Statutes 160D-302 (as of 2019). The Commissioners increased board membership to 3 alternates on 11/21/94 (officially 4/1/96). The Unified Development Ordinance (UDO) requires members to be appointed from different areas within the County's zoning jurisdiction insofar as possible.

**Brief on Functions:** In New Hanover County, the duties of the Board fall into two general categories: granting variances and hearing appeals.

**Granting of Variances:** When unnecessary hardships would result from carrying out a strict application of the UDO, the Board of Adjustment has the authority to vary any of the provisions of the ordinance after holding a public hearing and determining that the greater weight of evidence and testimony demonstrates that four conclusions have been met supported by findings of fact:

1. *Unnecessary hardship would result from the strict application of the ordinance.*
2. *The hardship results from conditions that are peculiar to the property, such as location, size, or topography.*
3. *The hardship did not result from actions taken by the applicant or the property owner.*
4. *The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*

In summary, a variance is an approval enabling a property owner to make use of his property in some way which is in conflict with the literal provisions of the Ordinance.

**Hearing Appeals:** The Board of Adjustment is also tasked with hearing and deciding on appeals where it is alleged by the appellant that there is error in a decision made by the planning director or Technical Review Committee (TRC) in administering or enforcing the UDO.

| CURRENT MEMBERS  | TERM OF OFFICE   |                               |
|--|--|-------------------------------|
|  | APPOINTMENT  | EXPIRATION                    |
| Henry A. Adams<br>8725 Fazio Drive<br>Wilmington, NC 28411<br>910-686-5941(H) 910-350-1200 (W)<br>910-520-1434 (C) | Unexpired 3/24/14<br>First 11/14/16<br>Second 11/18/19 | 12/1/16<br>12/1/19<br>12/1/22 |

| CURRENT MEMBERS  | TERM OF OFFICE                       |                    |
|--|--------------------------------------|--------------------|
|  | APPOINTMENT                          | EXPIRATION         |
| Kristin K. Freeman<br>712 Aquarius Dr.<br>Wilmington, NC 28411<br>910-508-6077 (C)   | First 11/14/16<br>Second 11/18/19    | 12/1/19<br>12/1/22 |
| Cameron R. Moore<br>242 Long John Silver Dr.<br>Wilmington, NC 28411<br>910-540-1154 (C)   | First 12/18/17<br>Second 11/16/20    | 12/1/20<br>12/1/23 |
| Maverick Pate<br>3929 Willowick Park Dr.<br>Wilmington, NC 28409<br>910-880-2239 (C)   | Unexpired 11/16/20<br>First 11/15/21 | 12/1/21<br>12/1/24 |
| Luke A. Waddell<br>60 Pelican Dr., #B<br>Wrightsville Beach, NC 28480<br>910-599-7081 (C)  | First 11/16/20                       | 12/1/23            |
| <b>ALTERNATES:</b>   |                                      |                    |
| Michael J. Keenan, Sr.<br>6201 Sugar Pine Dr.<br>Wilmington, NC 28412<br>910-540-1010 (C) 910-815-2771 (W)   | First 11/18/19                       | 12/1/22            |
| Richard F. Kern<br>4740 Castle Hayne Rd.<br>Wilmington, NC 28429<br>910-520-4318 (C) 910-338-9777 (W)<br>910-239-3304 (F)  | First 12/18/17<br>Second 11/16/20    | 12/1/20<br>12/1/23 |
| William Mitchell<br>1605 Field View Road<br>Wilmington, NC 28411<br>910-471-9800   | Unexpired                            | 12/1/22            |
| <b>Staff Support:</b> Ken Vafier, Planning Manager<br>NHC Planning and Land Use Department<br>230 Government Center Drive, Suite 110<br>Wilmington, NC 28403<br>910-798-7281 | File: BOA<br>Revised: 5/2022         |                    |